

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AIRISHAD KIDD,

Plaintiff,

CASE NO. 1:16-CV-48

v.

HON. ROBERT J. JONKER

CITY OF GRAND RAPIDS, *et al.*,

Defendants.

_____ /

ORDER

This matter came up for oral argument on Defendants Garcia-Bargas, Lilly, and Veldman's Motion for Summary Judgment (ECF No. 41). During the hearing, the Court clarified that it declines to exercise supplemental jurisdiction over the plaintiff's state law claims. 28 U.S.C. § 1367(c). Based on all matters of record, and for the reasons the Court stated in detail in open court during the hearing, the Court finds that Defendant Garcia-Bargas is entitled to summary judgment in her favor as to all federal claims asserted against her; Defendants Lilly and Veldman are entitled to summary judgment in their favor as to Plaintiff's claim of false arrest under 42 U.S.C. § 1983 and the Fourth Amendment of the Constitution; and Defendants Lilly and Veldman are not entitled to summary judgment as to Plaintiff's claim of excessive force under 42 U.S.C. § 1983 and the Fourth Amendment of the Constitution.

ACCORDINGLY, IT IS ORDERED:

1. Plaintiff's state law claims are **DISMISSED WITHOUT PREJUDICE**.

2. Defendants' Motion for Summary Judgment (ECF No. 41) is **GRANTED** as to all federal claims against Defendant Garcia-Bargas; is **GRANTED** as to Plaintiff's claim against Defendants Lilly and Veldman for false arrest under 42 U.S.C. § 1983 and the Fourth Amendment of the Constitution; and is **DENIED** in all other respects.
3. Only Plaintiff's claim against Defendants Lilly and Veldman for excessive force under 42 U.S.C. § 1983 and the Fourth Amendment of the Constitution remains for trial.

Dated: June 20, 2017

/s/ Robert J. Jonker
ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE

